

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

*Applicant/Contact name and address:* Seven Blackfoot Co LLC  
PO Box 50790  
Billings, MT 59105

1. *Type of action:* Application to Change Water Right No. 40E-30152300
2. *Water source name:* Groundwater
3. *Location affected by project:* NWNW of Section 36, T21N, R34E of Garfield County
4. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
The proposed change is to add 2 additional stock tanks to groundwater certificate 40E 30025354. A total of 9 stock tanks will be included in the system and the point of diversion is a well located in the NWNW of Section 36, T21N, R34E of Garfield County. The stock watering system operates at 20 gallons per minute. All tanks have float/ shut off valves. The new stock tanks are located in Sections 6 and 7 of T20N, R35E in Garfield County.

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

5. *Agencies consulted during preparation of the Environmental Assessment:*  
(include agencies with overlapping jurisdiction)

Montana Department of Environmental Quality – Web site  
Montana Department of Fish, Wildlife & Parks – Web site  
National Wetlands Inventory – Web site  
Montana Natural Heritage Program – Web site  
USDA Web Soil Survey – Web site

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

#### **PHYSICAL ENVIRONMENT**

##### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

N/A-This appropriation is an existing well that is not increasing the use.

*Determination:* No significant impact

**Water quality** - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

N/A- This appropriation is an existing well that is not increasing or changing the use.

*Determination:* No significant impact

**Groundwater** - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

No impacts identified. The existing groundwater certificate (40E 30025354) was issued for use of water by 290 animal units and one domestic residence from the period of January 1-December 31. There will be no change in the period of diversion or number of animal units being watered under this water right.

*Determination:* No significant impact

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The means of diversion has already been completed under the existing ground water certificate (40E 30025354) and change authorization (40E 30115521). The water is conveyed through a buried pipeline to all 9 tanks including the additional 3 stock tanks.

*Determination:* No significant impact

##### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater,*

*assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

According to the Montana Natural Heritage Program website, The Bureau of Land Management, (BLM), lists the Greater Sage-Grouse and Greater Short-horned Lizard as Sensitive. The Montana Sage Grouse Habitat Conservation Program does not list the place of use as being within sage grouse habitat. The addition of new stock tanks in pastures that have historically been used for livestock is not anticipated to cause an adverse effect to the listed species. There are no federally-listed plant species within the Project area.

*Determination:* No significant impact

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

The conveyance pipeline does not cross any wetlands.

*Determination:* No significant impact

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

There are no natural ponds within the place of use.

*Determination:* No significant impact

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

No impacts identified. This water project is for stock water tanks in pastureland and will not influence soil quality, stability, or moisture content.

*Determination:* No significant impact

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

No vegetation was listed as endangered or threatened by the USFWS for the project area. The control of noxious weeds is the responsibility of the property owner.

*Determination:* No significant impact

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

There are no air quality concerns with this project.

*Determination:* No significant impact

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

*Determination:* No significant impact

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* No additional impacts on other environmental resources were identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:* NA- Project not located on State or Federal Lands.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination:* No impact identified

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination:* This project will have no impact on human health.

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

Yes X No \_\_\_\_ *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination:* There are no additional government regulatory impacts on private property rights associated with this application.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

(a) Cultural uniqueness and diversity? No Significant Impact

(b) Local and state tax base and tax revenues? No Significant Impact

- (c) Existing land uses? No Significant Impact
- (d) Quantity and distribution of employment? No Significant Impact
- (e) Distribution and density of population and housing? No Significant Impact
- (f) Demands for government services? No Significant Impact
- (g) Industrial and commercial activity? No Significant Impact
- (h) Utilities? No Significant Impact
- (i) Transportation? No Significant Impact
- (j) Safety? No Significant Impact
- (k) Other appropriate social and economic circumstances? No Significant Impact

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: No impact identified

Cumulative Impacts: No impact identified

**3. *Describe any mitigation/stipulation measures:* N/A**

***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** There are no reasonable alternatives to the proposed action. The means of diversion and conveyance have already been completed.

**4.**

***PART III. Conclusion***

**1. *Preferred Alternative:*** Construct the new point of diversion for the Fort Peck Fish Hatchery as proposed.

**2 *Comments and Responses***

**3. *Finding:***  
*Based on the significance criteria evaluated in this EA, is an EIS required?* No

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* No significant impacts have been identified, therefore an EIS is not necessary.

*Name of person(s) responsible for preparation of EA:*

*Name:* Todd Netto

*Title:* Water Resource Specialist

*Date:* May 26, 2021